

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

FIRST APPEAL No 2713 of 1996

For Approval and Signature:

Hon'ble MR.JUSTICE B.C.PATEL
and

Hon'ble MR.JUSTICE S.D.DAVE

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1. Whether Reporters of Local Papers may be allowed to see the judgements?
2. To be referred to the Reporter or not?
3. Whether Their Lordships wish to see the fair copy of the judgement?
4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder?
5. Whether it is to be circulated to the Civil Judge?

KRUSHNAKANT THAKORLAL

Versus

LIBERTY FERTILIZERS

Appearance:

MR JAYVADAN SHAH for Petitioner

MR NK MAJMUDAR for Respondent No. 1

CORAM : MR.JUSTICE B.C.PATEL and

MR.JUSTICE S.D.DAVE

Date of decision: 20/09/96

ORAL JUDGEMENT

Learned advocates for the parties jointly request that in view of the settlement arrived at between the parties, this appeal may be taken up and finally disposed of today, without the formal orders of admission.

2. Learned advocates have placed before us the deed of settlement arrived at between the parties, which is signed by the parties as well as by the learned Advocates. Learned advocates have also placed before us two undertakings signed by the parties. The same are ordered to be taken on record.

The undertakings filed are not on oath. Therefore, the parties are directed to file undertakings on oath, within a period of one week from today, to abide by the terms of the deed of settlement arrived at between them.

In view of the settlement arrived at between the parties and the undertakings, the judgment and order passed by the learned Civil Judge, Senior Division, Baroda on 30th September 1995 in Special Civil Suit No. 424 of 1986 shall stand modified in terms of the deed of settlement arrived at between the parties. The decree shall also stand modified accordingly.

Appeal allowed accordingly. No order as to costs.

csm./